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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/075,946

02/13/2002

David C. Brown

GOLIATH-B

9845

7590

10/08/2004

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EXAMINER

BEN, LOHA

ART UNIT

PAPER NUMBER

2873

DATE MAILED: 10/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/075,946

Applicant(s)

BROWN ET AL.

Examiner

LOHA BEN

Art Unit

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-31 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Loha Ben
Primary Examiner

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

This application is in condition for allowance except for the following formal matters:

In claim 1: line 3, "the" should be replaced with – an – (since no signal has been mentioned; only signal **channel** has been called for in the preamble); line 4, "incidence" should be – incident – to be consistent with line 7 of the claim and with the recitation in some other claims; line 7, "reflected" should be – reflection – (see line 8 of the claim); line 9, before "channel", -- signal – should be inserted; and line 16, "moving" should be – movable – (see line 10).

In claim 3: line 4, "tractive" should be replaced with – traction --.

In claim 5: line 1, "element" should be – member – (see claim 1); and line 7, "tractive" should be – traction --.

In claim 10: line 4, "driver" should be – driving – (see claim 4).

In claim 11: line 1, "further" should be deleted, otherwise it would mean that the plurality of optical signal channels recited is called for **in addition to** the input optical signal channel recited in claim 1. For the same reason, this would apply to the output optical signal channels, and the first and second switching mirrors as well.

Also in claim 11: lines 2, 3 and 10, before "input", -- said – should be inserted; line 2, before "output", -- of said – should be inserted; lines 6 and 10, before "output", -- said – should be inserted; lines 3 and 9, before "first", -- said – should be inserted; lines 5 and 9, before "second", -- said – should be inserted; lines 4, 6 and 11, before "channels", -- signal – should be inserted; line 4, the phrase ", said plurality . . . mirror"

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should be deleted; and lines 6 and 7, the phrase “, said plurality . . . mirror” should be deleted.

In claim 14: lines 3 and 6, before “channels”, -- signal -- should be inserted; and lines 4 and 8, “elements” should be replaced with -- members --.

In claim 15: line 4, “element” should be -- member --.

In claim 17: line 4, before “channel”, -- signal -- should be inserted; line 11, “the output mirror” should be replaced with -- a second switching mirror --, otherwise “the output mirror” has no antecedent basis; and line 2 from the bottom, “element” should be -- member --.

In claim 23: line 9, after “response”, -- to -- should be inserted.

In claim 24: line 3, “an” should be -- a --.

In claims 26 and 31: line 3, “element”(second occurrence) should be -- member --

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Communication

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Loha Ben whose telephone number is (571) 272-2323.

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The examiner can normally be reached on Monday to Saturday, generally between 12:00 noon and 8:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Epps, can be reached on Monday to Friday, at (571) 272-2328.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

October 6, 2004



Loha Ben
Primary Examiner